

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MARC VEASEY, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, *et al.*,

Defendants.

Civil Action No. 2:13-cv-193 (NGR)

**UNOPPOSED MOTION FOR TEXAS RIO GRANDE LEGAL AID PLAINTIFFS’
APPLICATION OF APPELLATE ATTORNEYS’ FEES**

This matter was remanded to this Court for disposition of the issue of appellate attorneys’ fees. Over the past few months, Private Plaintiffs and the State Defendants have spent a considerable amount of time negotiating about this issue and have reached agreement on it, and further agreed that the issue may be submitted to this Court by way of this unopposed motion.

The appellate fee issue arises out of the State Defendants’ appeal from this Court’s award of attorney’s fees in this case to the Private Plaintiff. On appeal, the State Defendants’ sole issue was whether the Plaintiffs were the prevailing party for the purpose of an award of attorneys’ fees under 42 U.S.C. § 1988(b) and 52 U.S.C. § 10310(e) on their Section 2 claim. Judge Ho, writing for the Fifth Circuit panel, rejected all of the Defendants’ arguments, concluded that the Private Plaintiffs were the prevailing party, and affirmed in full this Court’s award of fees. *Veasey v. Abbott*, 13 F.4th 362, 368–70 (5th Cir. 2021). For the reasons set forth in the attached brief, the Private Plaintiff-voters

represented by Texas Rio Grande Legal Aid, Inc. (“TRLA”) are prevailing parties on that appeal and entitled to an award of appellate attorneys’ fees.

The parties entered into good-faith negotiations to resolve the appellate fee award, and Defendants are unopposed to a total amount of \$5,000.00 to be awarded to TRLA. This award covers the appeal following this Court’s award of attorneys’ fees and is in addition to the amount that this Court awarded to TRLA in that Order.

Plaintiffs represented by TRLA further rely upon the attached Declaration of Susan Zinn in support of their fee application.

Accordingly, Plaintiffs represented by TRLA request \$5,000.00 in fees related to the Fifth Circuit appeal.

Date: February 17, 2022

Respectfully submitted,

/s/ Susan Zinn

SUSAN ZINN

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Counsel for Estela Garcia Espinoza, Eulalio Mendez, Maximina Martinez Lara, and La Union Del Pueblo Entero, Inc (“LUPE”).

CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2022, a true and correct copy of the foregoing document was served via the Court’s ECF system to all counsel of record.

/s/ Susan Zinn

SUSAN ZINN

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